

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

June 6, 2022  
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 7, Absent 2. Council Members Thomas Butterfield and Michael O'Brien were excused from the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Finance Director Steve Okins, Public Works Director Gary Manzer, Planning and Development Services Director Justice Walker, Parks and Recreation Director Rob Baumgarn, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/deletions to the agenda included: City Administrator Valiant requested to add a discussion regarding scheduling a work session.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Asmus seconded the motion, which carried unanimously.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of May 16, 2022
- B. Willmar Municipal Utilities Commission Minutes of May 23, 2022
- C. Accounts Payable Report for May 11 - May 27, 2022
- D. Park and Recreation Board Minutes of April 20, 2022
- E. Application for Exempt Permit – Kandiyohi County Pheasants Forever, Chapter #2
- F. Application for Exempt Permit – West Central Ducks Unlimited
- G. Application for Human Rights Commission – Allen Clark
- H. Application for EDC Operations Board – Abdulcadir Abucar Gaal
- I. Consideration of State Temporary Liquor Permit – Willmar Lakes Rotary
- J. **Resolution No. 2022-085 Consider Adoption of As-bid Budget for Project No. 2203-C**
- K. **Resolution Nos. 2022-086, 087, 088, 089 Consider Adoption of As-bid Budgets for 2022 Street and Utility Reconstruction Amended Due to Assessment Policy Revisions**
- L. Willmar Lakes Area CVB Board Minutes of March 15, 2022

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

There was no one present to address the Council during Open Forum.

CEE-VI Drug and Gang Task Force members Bill Hudson and Ross Ardoff presented current information on drug use and gangs present in Kandiyohi County and surrounding area.

At 6:54 p.m., Mayor Calvin opened the public hearing for MinnWest Technology Campus abatement. MinnWest Technology Campus CEO Jim Sieben gave a presentation regarding the current campus and the desire to pursue the proposed abatement. It was noted Kandiyohi County has already approved the abatement.

There being no one to speak for or against the proposed abatement, Mayor Calvin closed the public hearing at 7:17 p.m. and opened it up for discussion by the Council.

Following discussion, Council Member Asmus offered a motion to approve the abatement as presented. Council Member Ask seconded the motion. Following further discussion, the motion was rescinded.

Council Member Asmus then offered a motion to approve the abatement request at a sliding scale as recommended by staff, and introduced **Resolution No. 2022-090 Approving Property Tax Abatements for the MinnWest Technology Renovation Project**. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Finance Director Okins presented a request to schedule a public hearing on an ordinance authorizing the issuance of up to \$5,600,000 in General Obligation Improvement Bonds Series 2022A for June 20, 2022 at 6:33 p.m.

Council Member Plowman offered a motion to approve staff's request and introduced **Resolution No. 2022-091 Calling for Public Hearing on an Ordinance Authorizing the Issuance of General Obligation Improvement Bonds, Series 2022A and Levying Taxes for the Payment Thereof.** Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Environmental Specialist Sara Sietsema presented the Annual Stormwater report for MS4 permitting to the Mayor and Council. The primary goal of the MS4 General Permit is to improve water quality by reducing pollutants in stormwater discharges.

Council Member Fagerlie offered a motion to receive the Annual Stormwater Report for MS4 permitting. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Contracted City Engineer Jared Voge presented a request to order the improvement report for the 2023 Improvement Projects.

**Resolution No. 2022-092 Ordering Preparation of Report on Improvements** was introduced by Council Member Plowman. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Contracted City Engineer Jared Voge presented a request to enter into an agreement with Bolton & Menk, Inc. for professional services related to the 2023 Construction Projects in the amount of \$1,940,560.

Following a brief discussion, **Resolution No. 2022-093 Awarding the Engineering Professional Services: 2301-A, 2301-B, 2301-C, 2303 and 2304 to Bolton and Menk, Inc. in the Amount of \$1,940,560** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Contracted City Engineer Jared Voge presented a request to award the Epitopix Sanitary Sewer Extension Project to Landwehr Construction, Inc., and adopt As-bid Budget. Epitopix requested the extension of the City's municipal utilities to serve their property located in Willmar Township. With the service, it will allow significant expansion of their veterinary vaccine production facility on 45th Street. The City was awarded a grant by the Innovative Business Development Public Infrastructure (IBDP) of \$1,300,000 for the extension of the sanitary sewer. The remainder of the project for each service will be paid from Epitopix and Wastewater funds.

Following discussion, Mr. Voge noted the As-Bid Budget portion of his request will be presented at a future meeting, due to the fact his company would like to adopt as-bid budgets for the sanitary sewer portion of the project, and the watermain portion separately.

Following further discussion, **Resolution No. 2022-094 Awarding the Epitopix Sanitary Sewer Extension Project to Landwehr Construction, Inc. in the Amount of \$1,363,425.20** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Public Works Director Manzer presented a request to award Project No. 2208-B and Project No. 2208-C to Kamco, Inc. for seal coating and fog seal of streets.

**Resolution No. 2022-095 Awarding Project No. 2208-B to Kamco, Inc. in the Amount of \$174,872.12** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

**Resolution No. 2022-096 Awarding Project No. 2208-C to Kamco, Inc. in the Amount of \$151,125.86** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Parks and Recreation Director Baumgarn presented a request to approve Change Order #11 in the amount of \$10,544.84 for the recreational field project. He noted during a recent walkthrough of the turf field project and reviewing the use of the facility, staff noted the amount of dirt and gravel being tracked onto the turf by the users of the facility, especially on wet days. Staff recommends paving the gravel pathways that surround the turf fields to prolong the use of the turf and keep people on designated walking paths.

Following discussion, **Resolution No. 2022-097 Accepting Change Order No. 11 for the Recreation Field Project** was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Parks and Recreation Director Baumgarn presented a request to re-allocate funds from the 2022 signal light pole capital improvement plan for the purchase of Musco lights for the Swansson Field Complex. He noted part of the 2022 capital improvement plan is to replace the lighting on one of three baseball/softball fields at the Swansson Field Complex. The Yellow field was selected to be replaced due to the poor condition of the concrete foundations, poles, and failing wiring. Due to the rise in cost of copper wire and metal conduit, these additional funds are needed to complete the project.

**Resolution No. 2022-098 Re-Appropriating Funds from the 2022 Signal Light Pole Capital Improvement Plan in the Amount of \$6,041.00 for the Purchase of Musco Lights for the Swansson Field Complex for the Amount of \$236,041.00** was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Parks and Recreation Director Baumgarn presented a request to re-allocate funds from the 2022 Signal Light Pole capital improvement plan for the purchase of additional items for the pool heater. Modifications needed for the current space to eliminate chemical vapors to help extend the life of other equipment and electrical systems is the installation of stainless steel floor plates with a window and relocate the chlorine injector to the chemical room.

Following discussion, **Resolution No. 2022-099 Re-Appropriating Funds from the 2022 Signal Light Pole Capital Improvement Plan in the Amount of \$2,935 and Approve the Installation of the Floor Plate for \$52,935.00** was introduced by Council Member Fagerlie. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Planning and Development Services Director Walker presented a request to introduce an ordinance for a public hearing on June 20, 2022 to amend Willmar Ordinance 1060, known as the Willmar Zoning Ordinance, by allowing brewpubs as a permitted or conditional use in three districts. He noted the Planning Commission approved said request on May 18, 2022.

Council Member Fagerlie offered a motion to **introduce an ordinance to amend Willmar Ordinance 1060, known as the Willmar Zoning Ordinance, by allowing brewpubs as a permitted or conditional use in three districts**, and set a public hearing for June 20, 2022 at 6:34 p.m. Council Member Ask seconded the motion, which carried unanimously.

Due to the length and cost of publishing entire ordinance, Council Member Fagerlie offered a motion to publish the Ordinance Amending Willmar Ordinance 1060, known as the Willmar Zoning Ordinance, by allowing brewpubs as a permitted or conditional use in three districts, by summary. Council Member Ask seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented a request to introduce an ordinance changing permitted and conditional uses allowed in the Industrial Districts I-1 and I-2 and set the public hearing for June 20, 2022 at 6:35 p.m.

Council Member Fagerlie offered a motion to **introduce an ordinance changing permitted and conditional uses allowed in the Industrial Districts I-1 and I-2**, and set the public hearing for June 20, 2022 at 6:35 p.m. Council Member Davis seconded the motion, which carried unanimously.

Due to the length and cost of publishing the entire ordinance, Council Member Fagerlie offered a motion to publish the ordinance changing permitted and conditional uses allowed in the Industrial Districts I-1 and I-2, by summary. Council Member Asmus seconded the motion, which carried unanimously.

Planning and Development Services Director Walker opened the discussion recommending the Charter Commission consider a charter revision requiring the Planning Commission review and approve the annual budget for the Capital Improvement Plan. He noted the Planning Commission is in favor of removing this requirement from the Charter.

Consensus of the Council was for staff to proceed with the recommendation.

City Administrator Valiant opened the discussion to schedule a work session for Tuesday, June 14, 2022 at 6:30 at the Fire Station Training Room. She noted items on the agenda would include: ARPA funding, a TIF presentation, historical review of the City Auditorium and future staffing needs for the Public Works Department and Parks and Recreation Department.

Following discussion, consensus of the Council was to schedule the work session as requested by the City Administrator.

Public Works Director Manzer offered the following comments: there will be an event held at the Four-Season Shelter this Friday, June 10, 2022; robotics street assessment begins tomorrow.

Mayor Calvin offered the following comments: Friday, June 10 – Sunday, June 12, a classic baseball tournament will be held in Willmar; Willmar Fests is coming up soon and urged anyone interested in participating in the parade to sign up soon.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Plowman seconding the motion, which carried. The meeting adjourned at 8:39 p.m.

/s/ Mary Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 2022-085**  
**PROJECT NO. 2203-C AS-BID BUDGET**  
**TOTAL COST \$105,433**

\*Budget Amounts are Essential

Motion By: Fagerlie

Second By: Davis

Code

**PERSONNEL SERVICES**

10\* Salaries Reg. Employees  
11\* Overtime Reg. Employees  
12\* Salaries Temp. Employees  
13\* Employer Pension Contr.  
14\* Employer Ins. Contr.

**TOTAL \$0.00**

**RECEIVABLES**

Assessments Prop Owners \$136,540  
Community Investment -\$31,107  
MSA \$0  
MUC \$0  
WTP \$0  
LOST \$0  
COUNTY \$0

**TOTAL \$105,433**

**SUPPLIES**

20\* Office Supplies  
21\* Small Tools  
22\* Motor Fuels & Lubricants  
23\* Postage  
24 Mtce. of Equipment  
25 Mtce. of Structures  
26 Mtce. of Other Improvements  
27 Subsistence of Persons  
28 Cleaning & Waste Removal  
29\* General Supplies

**TOTAL \$0.00**

**FINANCING**

Bonds \$105,433  
LOST \$0  
MSA \$0  
WTP \$0  
MUC \$0  
COUNTY \$0

**TOTAL \$105,433**

**GRAND TOTAL \$105,433**

Dated this 6<sup>th</sup> day of June, 2022

**OTHER SERVICES**

33* Travel-Conf.-Schools		
34 Mtce. of Equipment		<u>/s/ Marv Calvin</u>
35 Mtce. of Structures		Mayor
36* Mtce. of Other Impr.	\$105,433	
37 Subsistence of Persons		<b>Attest:</b>
38 Cleaning & Waste Removal		
39* Other Services	\$0	
<b>TOTAL</b>	<b>\$105,433</b>	<u>/s/ Judy Thompson</u>
		City Clerk

**OTHER CHARGES**

46* Prof. Serv.	\$0
48 Admin OH (Transfer)	\$0
<b>TOTAL</b>	<b>\$0</b>
<b>GRAND TOTAL</b>	<b>\$105,433</b>

**RESOLUTION NO. 2022-086**  
**PROJECT NO. 2201-A AS-BID BUDGET**  
**TOTAL COST \$2,693,959**

\*Budget Amounts are Essential

Motion By: Fagerlie

Second By: Davis

Code

**PERSONNEL SERVICES**

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	
14* Employer Ins. Contr.	
<b>TOTAL</b>	<b>\$0.00</b>

**RECEIVABLES**

Assessments Prop Owners	\$755,259
Community Investment	\$907,180
MSA	\$0
MUC	\$350,742
WTP	\$482,007
LOST	\$198,771
COUNTY	\$0

**TOTAL**

**\$2,693,959**

**SUPPLIES**

20* Office Supplies	
21* Small Tools	
22* Motor Fuels & Lubricants	
23* Postage	
24 Mtce. of Equipment	
25 Mtce. of Structures	
26 Mtce. of Other Improvements	
27 Subsistence of Persons	
28 Cleaning & Waste Removal	
29* General Supplies	
<b>TOTAL</b>	<b>\$0.00</b>

**FINANCING**

Bonds	\$1,662,439
LOST	\$198,771
MSA	\$0
WTP	\$482,007
MUC	\$350,742
COUNTY	\$0
<b>TOTAL</b>	<b>\$2,693,959</b>

**GRAND TOTAL**

**\$2,693,959**

Dated this 6<sup>th</sup> day of June, 2022

**OTHER SERVICES**

33* Travel-Conf.-Schools		
34 Mtce. of Equipment		<u>/s/ Marv Calvin</u>
35 Mtce. of Structures		Mayor
36* Mtce. of Other Impr.	\$2,197,554	

37 Subsistence of Persons  
38 Cleaning & Waste Removal  
39\* Other Services  
**TOTAL**

\$109,878  
**\$2,307,432**

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46\* Prof. Serv.  
48 Admin OH (Transfer)  
**TOTAL**  
**GRAND TOTAL**

\$366,735  
\$19,792  
**\$386,527**  
**\$2,693,959**

**RESOLUTION NO. 2022-087**  
**PROJECT NO. 2201-B AS-BID BUDGET**  
**TOTAL COST \$1,704,481**  
\*Budget Amounts are Essential

Motion By: Fagerlie

Second By: Davis

Code

**PERSONNEL SERVICES**

10\* Salaries Reg. Employees  
11\* Overtime Reg. Employees  
12\* Salaries Temp. Employees  
13\* Employer Pension Contr.  
14\* Employer Ins. Contr.  
**TOTAL**

**\$0.00**

**RECEIVABLES**

Assessments Prop Owners \$345,295  
Community Investment \$897,204  
MSA \$0  
MUC \$177,643  
WTP \$284,339  
LOST \$0  
COUNTY \$0

**TOTAL**

**\$1,704,481**

**SUPPLIES**

20\* Office Supplies  
21\* Small Tools  
22\* Motor Fuels & Lubricants  
23\* Postage  
24 Mtce. of Equipment  
25 Mtce. of Structures  
26 Mtce. of Other Improvements  
27 Subsistence of Persons  
28 Cleaning & Waste Removal  
29\* General Supplies  
**TOTAL**

**\$0.00**

**FINANCING**

Bonds \$1,242,499  
LOST \$0  
MSA \$0  
WTP \$284,339  
MUC \$177,643  
COUNTY \$0  
**TOTAL**

**\$1,704,481**

**GRAND TOTAL**

**\$1,704,481**

Dated this 6<sup>th</sup> day of June, 2022

**OTHER SERVICES**

33\* Travel-Conf.-Schools  
34 Mtce. of Equipment  
35 Mtce. of Structures  
36\* Mtce. of Other Impr.  
37 Subsistence of Persons  
38 Cleaning & Waste Removal  
39\* Other Services  
**TOTAL**

\$1,382,205

**\$1,451,315**

/s/ Marv Calvin  
Mayor

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46\* Prof. Serv.  
48 Admin OH (Transfer)

\$240,640  
\$12,526

<b>TOTAL</b>	<b>\$253,166</b>
<b>GRAND TOTAL</b>	<b>\$1,704,481</b>

**RESOLUTION NO. 2022-088  
PROJECT NO. 2201-C AS-BID BUDGET**

**TOTAL COST \$1,425,891**

\*Budget Amounts are Essential

Motion By: Fagerlie

Second By: Davis

Code

**PERSONNEL SERVICES**

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	
14* Employer Ins. Contr.	
<b>TOTAL</b>	<b>\$0.00</b>

**RECEIVABLES**

Assessments Prop Owners	\$228,249
Community Investment	\$672,158
MSA	\$0
MUC	\$237,928
WTP	\$185,157
LOST	\$102,399
COUNTY	\$0

**TOTAL**

**\$1,425,891**

**SUPPLIES**

20* Office Supplies	
21* Small Tools	
22* Motor Fuels & Lubricants	
23* Postage	
24 Mtce. of Equipment	
25 Mtce. of Structures	
26 Mtce. of Other Improvements	
27 Subsistence of Persons	
28 Cleaning & Waste Removal	
29* General Supplies	
<b>TOTAL</b>	<b>\$0.00</b>

**FINANCING**

Bonds	\$900,407
LOST	\$102,399
MSA	\$0
WTP	\$185,157
MUC	\$237,928
COUNTY	\$0

**TOTAL**

**\$1,425,891**

**GRAND TOTAL**

**\$1,425,891**

Dated this 4<sup>th</sup> day of April, 2022

**OTHER SERVICES**

33* Travel-Conf.-Schools	
34 Mtce. of Equipment	
35 Mtce. of Structures	
36* Mtce. of Other Impr.	\$1,169,646
37 Subsistence of Persons	
38 Cleaning & Waste Removal	
39* Other Services	\$58,482
<b>TOTAL</b>	<b>\$1,228,128</b>

/s/ Marv Calvin  
Mayor

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46* Prof. Serv.	\$187,290
48 Admin OH (Transfer)	\$10,473
<b>TOTAL</b>	<b>\$197,763</b>
<b>GRAND TOTAL</b>	<b>\$1,425,891</b>

**RESOLUTION NO. 2022-089**  
**PROJECT NO. 2201-D AS-BID BUDGET**  
**TOTAL COST \$1,499,924**  
\*Budget Amounts are Essential

Motion By: Fagerlie

Second By: Davis

Code

**PERSONNEL SERVICES**

10\* Salaries Reg. Employees  
11\* Overtime Reg. Employees  
12\* Salaries Temp. Employees  
13\* Employer Pension Contr.  
14\* Employer Ins. Contr.

**TOTAL** **\$0.00**

**RECEIVABLES**

Assessments Prop Owners \$221,951  
Community Investment \$760,426  
MSA \$0  
MUC \$225,552  
WTP \$228,081  
LOST \$63,914  
COUNTY \$0

**TOTAL** **\$1,499,924**

**SUPPLIES**

20\* Office Supplies  
21\* Small Tools  
22\* Motor Fuels & Lubricants  
23\* Postage  
24 Mtce. of Equipment  
25 Mtce. of Structures  
26 Mtce. of Other Improvements  
27 Subsistence of Persons  
28 Cleaning & Waste Removal  
29\* General Supplies

**TOTAL** **\$0.00**

**FINANCING**

Bonds \$982,377  
LOST \$63,914  
MSA \$0  
WTP \$228,081  
MUC \$225,552  
COUNTY \$0

**TOTAL** **\$1,499,924**

**GRAND TOTAL** **\$1,499,924**

Dated this 6<sup>th</sup> day of June, 2022

**OTHER SERVICES**

33\* Travel-Conf.-Schools  
34 Mtce. of Equipment  
35 Mtce. of Structures  
36\* Mtce. of Other Impr. \$1,197,019  
37 Subsistence of Persons  
38 Cleaning & Waste Removal  
39\* Other Services \$59,851

**TOTAL** **\$1,256,870**

/s/ Marv Calvin  
Mayor

**Attest:**

/s/ Judy Thompson  
City Clerk

**OTHER CHARGES**

46\* Prof. Serv. \$232,025  
48 Admin OH (Transfer) \$11,029

**TOTAL** **\$243,054**

**GRAND TOTAL** **\$1,499,924**

**CITY OF  
WILLMAR  
STATE OF  
MINNESOTA**

Resolution No. 2022-090



**RESOLUTION APPROVING PROPERTY TAX  
ABATEMENTS FOR THE MINNWEST  
TECHNOLOGY RENOVATION PROJECT**

Motion By: Asmus                      Second By: Ask

BE IT RESOLVED by the City Council (the "Council") of Willmar, Minnesota (the "City"), as follows:

1.        Recitals.

(a)        MinnWest Technology Campus Management Company, LLC (the "Company") owns three parcels of real property at the MinnWest Technology Campus located in the City of Willmar (the "City") and identified by the Kandiyohi County Auditor's Office as Parcel Nos. 95-508-3000, 95-508-3010 and 95-508-3030, as legally described on Exhibit A attached hereto and incorporated herein by reference (collectively, the "Property"). The Company intends to renovate and improve its Buildings #6, #7 and #15 on the Property at the MinnWest Technology Campus with an estimated completed market value of \$4,802,200 (the "Project").

(b)        The Company has requested that the City provide financial assistance to the Developer in support of the Project for costs related to renovation and site improvements. The City proposes to use tax abatement for the purposes provided for in the Abatement Law (and hereinafter defined), including the Project. The proposed term of the abatement will be not to exceed ten years (specifically, with respect to the payable 2024 through 2033 property taxes) in a total amount not to exceed \$97,462 and shall apply to the City's share of ad valorem property taxes on the Property derived from the increased value of the Property attributable to the Project (the "Abatement").

(c)        On the date hereof, the Council held a public hearing on the question of the Abatement, and said hearing was preceded by at least 10 days but not more than 30 days prior published notice hereof.

(d)        The Abatement is authorized under Minnesota Statutes, Sections 469.1812 through 469.1815 (the "Abatement Law").

2.        Findings for the Abatement. The Council hereby makes the following findings:

(a)        The Council expects the benefits to the City of the Abatement to at least equal the costs thereof.

(b)        Granting the Abatement is in the public interest because it will increase or preserve the tax base of the City, help retain and expand commercial and industrial enterprise in the City and provide employment opportunities in the City.

(c)        The Council expects the public benefits described in (b) above to be derived from the abatement.

(d)        The Property is not located in a tax increment financing district.

(e)        In any year, the total amount of property taxes abated by the City by this, and other resolutions does not exceed ten percent (10%) of the current net tax capacity or \$200,000, whichever is greater.

3.        Terms of Abatement. The Abatement is hereby approved. The terms of the abatement are as follows:

(a) The Abatement shall be for a maximum term of ten (10) years and shall apply to the taxes payable in the years 2024 through 2033, inclusive, as follows :

i) The City will abate an amount equal to one hundred (100) percent of the City's share of ad valorem property taxes on the Property which are attributable to the Project in the years 2024 through 2027 .

ii) The City will abate an amount equal to seventy (70) percent of the City's share of ad valorem property taxes on the Property which are attributable to the Project in the years 2028 through 2030 .

iii) The City will abate an amount equal to forty (40) percent of the City's share of ad valorem property taxes on the Property which are attributable to the Project in the years 2031 through 2033.

(b) The increased portion of the City's share of ad valorem property taxes attributable to the Project which will be subject to abatement under this paragraph shall be any property taxes collected in any given year in excess of the 2021/2022 base tax capacity for the Property of \$61,104 .

(c) The total amount abated over the entire ten-year period shall not exceed \$97,462 .

(d) The abatement may not be modified or changed during the term set forth in (a) above, except with the prior written consent of the County, the City of Willmar and Independent School District No. 347 .

(e) The Abatement shall be subject to all the terms and limitations of the Abatement Law.

(f) In order to be entitled to the Abatement, the Company shall not be in default within the City of any of its payment obligations respecting any taxes, assessments, utility charges or other governmental impositions; and will not seek a reduction in the market value as determined by the County Assessor of the Project or other facilities that it constructs on the Property for so long as the Abatement remains outstanding .

(g) All terms will be subject to final approval of the Tax Abatement Agreement between the City and the Company setting forth the rights and obligations of the parties with respect to the Abatement in greater detail .

Adopted on June 6, 2022, by the Willmar City Council.

/s/ Marv Calvin  
Marvin Calvin, Mayor

ATTEST :

/s/ Judy Thompson  
Judy Thompson, City Clerk

Exhibit A  
Legal Description of Property

Units 6, 7 and 15, Common Interest Community Number 40, A Planned Community, MinnWest Technology Campus, City of Willmar, Kandiyohi County, Minnesota, according to the plat on file and of record in the office of the County Recorder of Kandiyohi County, Minnesota

**RESOLUTION NO. 2022-091**

**RESOLUTION CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2022A  
AND LEVYING TAXES FOR THE PAYMENT THEREOF**

Motion By: Plowman                      Second By: Davis

WHEREAS:

A.        The City of Willmar (the "City") has heretofore undertaken to construct certain public improvements pursuant to Minnesota Statutes, Chapter 429, as more fully described in the proposed Ordinance set forth below.

B.        Said improvements have heretofore been duly incorporated into the City's capital program in accordance with the City Charter.

C.        It is necessary and desirable that the City of Willmar issue its General Obligation Improvement Bonds, Series 2022A in an aggregate principal amount not to exceed \$5,600,000 to finance various public improvement projects in the City, including without limitation street and related public improvement projects included in the 2022 Improvement Projects.

D.        Section 2.12 of the City Charter requires that acts of the City Council which authorize the borrowing of money and levying of taxes shall be by ordinance.

E.        Council Member Plowman introduced an Ordinance entitled "An Ordinance Authorizing the Issuance of up to \$5,600,000 General Obligation Improvement Bonds, Series 2022A and the Levying of Taxes to Secure Payment Thereof".

F.        NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1.        The City Clerk is authorized and directed to distribute a copy of said Ordinance to each Council Member, to the Mayor, and to the City Attorney, and to file a reasonable number of copies of the Ordinance in the office of the City Clerk and the following other public places:

- A.        \_\_\_\_\_
- B.        \_\_\_\_\_
- C.        \_\_\_\_\_

2.        This Council shall meet at the time and place specified in the form of notice hereinafter contained for the purpose of conducting a public hearing on the Ordinance and considering the Ordinance for adoption.

3. The City Clerk is hereby authorized and directed to cause notice of the time, place and purpose of said public hearing to be published in the local official newspaper of the City not less than seven days in advance of the date of hearing as required by the City Charter, which notice shall be substantially the form attached as **Exhibit A** hereto.

4. Upon sale of said bonds, the City Clerk shall compute the levy made by said Ordinance No. \_\_\_\_ commencing in or about the year 2023 and ending in or about the year 2038 upon all taxable property in the City, which tax shall be spread upon the tax rolls and collected with and as part of other general property taxes in said City in such an amount as is necessary to comply with Minnesota Statutes, Section 475.61, subd. 1. Said tax levy shall be irrepealable so long as any of said bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, subd. 3.

5. No bonds shall be issued and no tax levy shall be effective in accordance with this resolution until (a) after the Ordinance has been duly adopted and published in accordance with the City Charter, and (b) the applicable 15-day period has elapsed with respect to said Ordinance and all appropriate bond resolutions during which period no Certificate of Intent is filed in accordance with Section 7.04(j) of the City Charter.

The motion for the adoption of the foregoing resolution was duly seconded by Member Davis and upon a vote being taken thereon, the following voted in favor thereof: Council Members Rick Fagerlie, Julie Asmus, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen

and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted this 6<sup>th</sup> day of June, 2022.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

EXHIBIT A

NOTICE OF PUBLIC HEARING  
ON THE ADOPTION OF AN ORDINANCE

NOTICE IS HEREBY GIVEN by the City Council of the City of Willmar, Minnesota, that the City Council will conduct a public hearing on and consider adoption of the Ordinance described below, at the Kandiyohi County Health and Human Services Building Board Room located at 2200 23rd Street NE in the City, at 6:31 o'clock p.m. on the 20<sup>th</sup> day of June, 2022 said proposed Ordinance is as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$5,600,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2022A AND THE LEVYING OF TAXES TO SECURE PAYMENT THEREFOR.

The City of Willmar hereby ordains:

1. In accordance with Minnesota Statutes, Chapters 429 and 475, the City of Willmar has heretofore determined to construct and finance various public improvement projects in the City, including without limitation street and related public improvement projects included in the 2022 Improvement Projects.
2. In order to finance said improvements it is necessary to issue General Obligation Improvement Bonds of the City in the amount of up to \$5,600,000.
3. For the purposes of complying with Minnesota Statutes, Section 475.61, there will be levied a direct ad valorem tax upon all taxable property in the municipality in such amounts as are required by law to secure payment of said Bonds.
4. This Ordinance is adopted in order to authorize the borrowing of money and the issuance of General Obligation Improvement Bonds and the levying of taxes therefor as provided in Section 2.12 of the City Charter. Further details shall be set forth by resolution.

By Order of the City Council

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-092**

**RESOLUTION ORDERING PREPARATION OF  
REPORT ON IMPROVEMENTS**

Motion By: Plowman Second By: Davis

WHEREAS, it is proposed to construct the following improvements under the 2023 Improvement Projects: Grading, aggregate base, curb and gutter, edge drain, sump pump connections, milling, bituminous pavement, sidewalk, service lines, storm sewer, sanitary sewer, and watermain.

And to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Section 429.011 to 429.111 (Laws 1953, Chapter 398, as amended).

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WILLMAR, MINNESOTA:

That the proposed improvement be referred to the Interim City Engineer for study, and that he is instructed to report to the Council advising the Council in a preliminary way as to whether the proposed improvement is feasible, and as to whether it should be best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Dated this 6th day of June, 2022

/s/ Marv Calvin  
Mayor

ATTEST:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-093**

**A RESOLUTION AWARDED THE ENGINEERING PROFESSIONAL SERVICES: 2301-A, 2301-B, 2301-C, 2303 AND 2304 TO BOLTON AND MENK, INC. IN THE AMOUNT OF \$1,940,560.**

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar. A Municipal Corporation of the State of Minnesota, that the bid of Bolton and Menk, Inc. of Willmar, MN for the professional services of Project No. 2301-A, 2301-B, 2301-C, 2303, and 2304 improvement projects is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$1,940,560.

Dated this 6th day of June, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-094**

**A RESOLUTION AWARDED THE EPITOPIX SANITARY SEWER EXTENSION PROJECT TO LANDWEHR CONSTRUCTION, INC. IN THE AMOUNT OF \$1,363,425.20.**

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Landwehr Construction, Inc. of St. Cloud, MN for the Epitopix Sanitary Sewer Extension Project is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$1,363,425.20.

Dated this 6th day of June, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-095**

**A RESOLUTION AWARDDING PROJECT NO. 2208-B TO KAMCO, INC. IN THE AMOUNT OF \$174,872.12.**

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Kamco, Inc. of Dassel, MN for Project No. 2208-B is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$174,872.12.

Dated this 6th day of June, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-096**

**A RESOLUTION AWARDDING PROJECT NO. 2208-C TO KAMCO, INC. IN THE AMOUNT OF \$151,125.86.**

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Kamco, Inc. of Dassel, MN for Project No. 2208-C is accepted, and be it further

resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$151,125.86.

Dated this 6th day of June, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-097**

**RESOLUTION ACCEPTING CHANGE ORDER NO. 11 FOR THE RECREATION FIELD PROJECT**

Motion By: Plowman Second By: Nelsen

**BE IT RESOLVED by the City Council of the City of Willmar**, to approve Change Order #11 in the amount of \$10,544.84 to pave gravel pathways that surround the turf fields.

Dated this 6<sup>th</sup> day of June, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-098**

**A RESOLUTION REAPPROPRIATING FUNDS FROM THE 2022 SIGNAL LIGHT POLE CAPITAL IMPROVEMENT PLAN IN THE AMOUNT OF \$6,041.00 FOR THE PURCHASE OF MUSCO LIGHTS FOR THE SWANSSON FIELD COMPLEX FOR THE AMOUNT OF \$236,041.00**

Motion By: Fagerlie Second By: Asmus



**BE IT RESOLVED by the City Council of the City of Willmar**, to re-appropriate \$6,041.00 from the 2022 Signal Light Pole capital improvement plan and approve the purchase of Musco Lights for the Swansson Field Complex for the amount of \$236,041.00.

Decrease: 2022 Signal Light Pole Capital Improvement Plan \$6,041.00

Increase: Swansson Field Complex \$6,041.00

Dated this 6th day of June 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-099**

**A RESOLUTION REAPPROPRIATING FUNDS FROM THE 2022 SIGNAL LIGHT POLE CAPITAL IMPROVEMENT PLAN IN THE AMOUNT OF \$2,935 AND APPROVE THE INSTALLATION OF THE FLOOR PLATE FOR \$52,935.00**

Motion By: Fagerlie

Second By: Plowman

**BE IT RESOLVED by the City Council of the City of Willmar**, to re-appropriate \$2,935.00 from the 2022 Signal Light Pole capital improvement plan and approve the installation of the floor plate for \$52,935.00

Decrease: 2022 Signal Light Pole Capital Improvement Plan \$2,935.00

Increase: Dorothy Olson Aquatic Center \$2,935.00

Dated this 6th day of June 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk